

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE:

BED BATH & BEYOND, Inc., et al : **CHAPTER 11**
Debtors :
: **No. 23-13359 (vfp)**

**OBJECTION to STATED BID AMOUNT
and SUPPLEMENTAL OBJECTION to CURE AMOUNT**

Note: The Objectors' counsel has discussed the within dispute with representatives of A&G, and believes that the matter will be resolved without court action. However, because the objection deadline is 9:00 AM on July 5, 2023 (following a long holiday weekend), this Objection is being filed as a protective measure, to eliminate the possibility of oversight.

Consumer Centre Paramount 1, LLC, Consumer Centre Paramount 2, LLC, Consumer Centre Paramount 4, LLC, Consumer Centre Paramount 5, LLC, Consumer Centre Paramount 6, LLC, and Consumer Centre Paramount 7, LLC (collectively, the “**Landlord**”), by their undersigned counsel, hereby make this objection to the amount of its bid, as stated in the “Notice of Successful and Backup Bidder With Respect to the Phase 1 Auction...” (Docket #1114), filed June 27, 2023 (the “**Bid Notice**”), as follows:

1. The Landlord is the lessor of Buy Buy Baby location #3081, located at 310 Route 36, West Long Branch, NJ 08701 (the “**Location**”).
2. The Lease for the Location (the “**Lease**”) was offered for sale at the Phase 1 Auction, held on June 26, 2023.
3. The Landlord was the successful (and only) bidder for the Lease.
4. The Landlord’s winning bid was (a) a waiver of pre-petition arrears plus (b) \$100,000.00 in cash, (c) reduced by the post-petition arrears due under the Lease.

5. The post-petition arrears due under the Lease was (on the date of the auction) \$23,537.05, as shown on the Objection to Cure Amount filed by the Landlord on June 26, 2023, at docket #1035, making the amount due from the Landlord \$76,462.95¹.

6. The Landlord's winning bid was incorrectly stated in the Bid Notice to be \$193,195.00.

7. The Landlord objects to the statement of its winning bid in the Bid Notice to the extent that it exceeds the amounts set forth in Paragraphs 4 and 5 hereof.

8. The Landlord incorporates by reference its entire Objection to Cure Amount (docket #1035) as if fully set forth again.

KAPLIN STEWART MELOFF REITER & STEIN, P.C.

By: /s/ William J. Levant, Esquire

William J. Levant, Esquire

Kaplin Stewart Meloff Reiter & Stein, P.C.

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Date: July 4, 2023

¹ The Landlord reserves the right to claim additional post-petition arrears as an offset to the cash component of its bid if the parties agree to a termination date later than June 30, 2023.

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CERTIFICATION of SERVICE

I, William J. Levant, Esq. do hereby certify that on July 4, 2023, I (or the ECF system) caused a true and correct copy of the foregoing objection to be sent to each of the following persons, by email:

(1) Counsel to the Debtors:
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(5) Office of the United States Trustee:
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(6) Counsel to the Creditors' Committee:
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KAPLIN STEWART MELOFF REITER & STEIN, P.C.

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